

PROCLAMATION
BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the Forty-first Legislature at its Regular Session passed House Bill No. 528, being "AN ACT amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State Highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than two hundred (200) population, shall be changed without the consent of the Commissioners' Court of the county wherein said town or city is situated, and declaring an emergency"; and,

WHEREAS, said Bill has been vetoed for the reasons set out in the following statement, which has been filed with said Bill in the office of the Secretary of State:

This bill amends Art. 3673 to provide in effect that the Highway Commission shall not have the power to re route any highway in any town or city of more than 200 population, without first having obtained the consent of the commissioners Court.

Should this bill become a law the Highway Commission would be without power to change any highway through any city or town of more than 200 population until it had obtained the consent of the Commissioner's Court of the County, and in all matters of this nature the Highway Commission would be compelled to ask the consent of the County Commissioner's Court.

It is of course the purpose of this bill to protect investments that have been made upon the faith and belief in the permanency of the location of existing highways. I believe that these investments should be protected. I further believe that the desires and interests of the county and towns effected by a road or a change in a road ought to be considered and given due and fair regard, but I do not believe that the change in the route of a highway should be made to depend solely and absolutely upon the consent of the Commissioner's Court. Should not the State agency, the Highway Commission, have at least some voice in the matter, and especially if State funds are going into the construction cost?

It is my judgment that changes in route should be limited to those instances in which good economy call for it, and then, if any towns and communities are effected the matter should be handled to protect the invested property rights effected. Highways are more than a means of travel between large centers. They should and must serve the intermediate towns and communities. Making the highway run as the crow flies may be desirable for through traffic, but I believe that other interests to be effected are likely of equal, if not greater importance. None of us want unnecessary and bothersome curves and angles in the road, especially when no purpose is served. I can't help but feel for the man who has a life's saving invested in property on what he believes to be a permanently located road and is taxed to support it, when he is treated with a possible change that leaves him off of the road. Some of these instances are doubtless unavoidable, but I hope that they can ~~be~~ be reduced to a minimum.

I am not opposed to a law that properly protects such matters, but I believe that it is a doubtful public policy to make the matter depend absolutely and entirely upon the consent of the Commissioner's Court and take the matter entirely away from the Highway Commission.

I have communicated directly with the Bureau of Roads, Washington, through which we annually receive about \$ 4,500,000 Federal Aid, and I believe that it is fair to say that its attitude is against such legislation in so far as it affects Federal Aid Roads. We all know that it is the theory of Federal support of roads that the State and Federal Aid Highways will be administered by an efficient and independent Highway Commission.

It is to be recalled that so long as highway building was left to the discretion of the Commissioner's Courts of the two hundred and fifty two counties in Texas, we did not make much progress toward a connected system of State highways. In order to develop a connected system we found it necessary to establish the highway Commission and give it authority in the matter of routes. Under this arrangement we have made some progress toward a connected system of roads. This bill in effect is to revert back in part to the former system, and as to certain matters of route it places the discretion entirely and solely with the commissioner's Court because nothing can be done in the matters covered by the amendment without the consent of the court.

A law intended to recognise the policy of making highways serve the territory through which they pass as they go between large centers, and protect the property rights thereon would in my judgment be wise legislation and a proper policy. I am not opposed to giving the county authorities a voice, but I do not believe that ~~the executive committee~~ all power in the subject matter should be taken from the state agency.

For the reasons stated, I never veto this bill. ~~and I do not believe~~

~~and I do not believe that the executive committee should have all power in the subject matter~~

Lee S. Smith

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I,
DAN MOODY, Governor of the State of Texas, under and by virtue of the authority
vested in me by the Constitution and Laws of this State, have vetoed said Bill
for the reasons stated and on file, and do hereby proclaim said action to have
been taken.



IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and caused
the seal of State to be impressed
hereon at Austin, Texas, this the 3rd
day of April, A. D. 1929.

BY THE GOVERNOR:

Governor of Texas

BJ Anderson
Secretary of State